

**REMARKS**

This Amendment is in response to the Office action mailed on June 1, 2009. A petition for three-month extension of time and payment (by credit card authorization) for the requisite fees are submitted herewith. In the event any additional fees are due, kindly charge the cost thereof to our Deposit Account No. 13-2855.

**Status of the Claims**

Claims 14 and 21-37 are pending in the present application. Claims 14, 23 and 24 are amended to delete language that raised rejections under 35 U.S.C. § 112, first paragraph. Independent claims 22 and 34 are amended to recite that a look up table is used to determine the distance over which the first frame is driven relative to the support, based on information stored with the image receiving substrate. This language is supported by the specification as originally filed, for example on page 14, lines 8-12, and does not add any new matter. Claims 35-37 are added, but the language of these claims is fully supported by the application as originally filed and no new matter is added by way of these additional claims.

**Response to Rejections Under 35 U.S.C. § 112, First Paragraph**

Claim 14 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. According to the Office action, the language “the other of said printhead and said platen being connected to the support” is new matter. Without conceding the merits of the rejection, claim 14 is amended to delete the language “and the other of said printhead and said platen being connected to said support” and the language “connected between one of: the first frame and said one of said printhead and platen; and the support and said other of said printhead and platen”. Withdrawal of the rejection is respectfully requested.

Response to Rejections Under 35 U.S.C. §§ 102 and 103

Claims 14, 16, 18-21, 23-26 and 29-30 were rejected under 35 U.S.C. § 102 as allegedly anticipated by Hongo et al., U.S. Patent No. 5,172,137. Claims 22, 27, 28, 31, 32 and 34 were rejected under 35 U.S.C. § 103 as allegedly unpatentable over Hongo et al. in view of Spurr et al., U.S. Patent No. 6,106,166, and Terasawa et al., U.S. Patent No. 5,398,049. Claim 33 was rejected under 35 U.S.C. § 103 as allegedly unpatentable over Hongo et al., Spurr et al. and Terasawa et al. as applied to claim 22, and further in view of Dorsel, U.S. 2004/0063106.

Claims 16-20 are canceled. Claims 14, 23 and 25 each recites that one of a printhead and a platen are mounted on a first frame that is slideably connected to a support and that the other of the printhead and platen are supported on a second frame that is compressibly supported by a compressor. A driver is arranged to drive the first frame relative to the support to cause the one of the printhead and platen mounted on the first frame to move linearly towards the other of the printhead and platen supported on the second frame. The compressor exerts a biasing force on one of the printhead and platen when this driving is performed.

The November 19, 2008 Office action indicated that Claim 17 (as-filed) was allegedly obvious in light of the combination of US 2002/0080223 (Connor) and US6480216 (Ando). Claim 14 now recites a "first frame" that is slideably connected to a support to cause one of a print head and a platen mounted on the first frame to move in a linear direction towards the other of the printhead and platen that is supported on a second frame. In Connor, only the loading rod (30) and extension rod (13) are driven to cause one of a print head and platen (the printhead 10) to move in a linear direction towards the other of the print head and platen (the platen roller 80).

So, in order to read onto the claimed combination of features, if the carriage 20 and supporting structure 70 are together considered equivalent to the "support" in the claim, then the loading rod 30 and extension rod 13 may be considered equivalent to the "first frame".

As acknowledged in the June 1, 2009 Office action, Connor does not teach that the platen roller 80 is mounted on a second frame. The Applicant respectfully submits that Connor also fails to teach a compressor arranged so as to compressibly support such a second frame. The only element shown in Connor which is capable of asserting a biasing force is the spring 32, but this is connected between the top of the carriage 20 and a nut threaded on the loading rod 30 (i.e. between the elements equivalent to the "support" and "first frame" of Claim 14).

Thus, Claim 14 and corresponding Claims 23 and 25 do not read onto the arrangement described in Connor, and so are respectfully submitted to not be anticipated by Connor.

Ando also fails to teach a platen which is compressibly supported by a compressor. The Office action highlighted springs 61a and 61b in Ando (e.g. in Figure 7a). However, although the springs 61a, 61b are shown to be biasing a "lower" element in this figure of Ando, and the spring shown in Connor is shown to be biasing an "upper" element in Figure 4 of that document, this apparent difference is merely due to the orientation of the presentation of the figures on their respective pages. In both of these figures, springs are causing biasing of a printhead, and not biasing of a platen.

There is furthermore no teaching in any of the more recent citations of US5172137 (Hongo), US5398049 (Terasawa) and US6106166 (Spurr) of a platen supported on a compressibly supported second frame. As such, no combination of these three documents would lead the skilled person to the arrangement recited in any of Claims 14, 23 or 25.

Given that no combination of the cited documents would lead the skilled person to the claimed arrangement, Claims 14, 23 and 25 cannot be considered obvious in light of the cited art.

In addition to the lack of teaching in any of the cited documents of a sprung platen, there is no suggestion to one of ordinary skill in the art to compressibly support the platen roller 50 of Ando. As discussed at column 6, lines 47-51, of Ando, the platen roller 50 is driven by a drive motor 91 via a gear train. It could not be considered a simple modification to the system in Ando to compressibly support the platen roller 50, and any such support would require a complete redesign of the system for driving the platen roller 50. If two gears in the gear train between the platen roller 50 and the motor 91 became separated, then transfer of torque from the motor to the platen roller would cease, causing a failure of the print medium drive system.

As conceded in the Office action, the proposed combination of Hongo, Purr and Terasawa fails to disclose a processor that uses a look up table to determine the distance to drive the first frame relative to the support. Claim 22, as amended, and claim 34, as amended, now recite using a look up table to determine a distance to drive the first frame relative to the support based on the information stored with the image receiving substrate. While the Office action relies on Dorsel, 2004/0063106, as disclosing the use of a look up table, the reliance on Dorsel is misplaced, as the Dorsel reference relates to non-analogous art. One of ordinary skill in the art to which the present application relates would not look to Dorsel, which is classified in an art that relates to measuring or testing processes involving enzymes or micro-organisms. Specifically, the Dorsel reference concerns assay array scanning methods. As described in the reference, the area covered by an array to which the scanning method described in the Dorsel reference relates is less than  $100\text{cm}^2$ , or as small as  $1\text{ cm}^2$ , with as many as one hundred thousand features in the array. As such, it is respectfully submitted that, not only is it unrelated to the

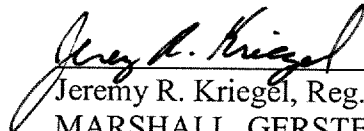
Applicant's field of endeavor, but based on the subject matter to which Dorsel relates, one of ordinary skill in the art of the present application would not have reasonably consulted Dorsel or applied its teachings in seeking a resolution to the problem faced by the Applicant. It is therefore respectfully submitted that claims 22 and 34, as amended, are non-obvious and allowable over the proposed combination of references.

**Conclusion**

For the foregoing reasons, the claims of the present application are in condition for allowance. The Examiner's reconsideration and favorable action are respectfully requested.

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Respectfully submitted,



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